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8 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 HELEN JOSEPHINE THORNTON, et al,

11 Plaintiff,

12 v.

13 COMMISSIONER OF SOCIAL  
14 SECURITY,

Defendant.

CASE NO. 2:18-cv-1409 JLR-JRC

ORDER REGARDING  
OUTSTANDING FACTUAL  
ISSUES, IF ANY

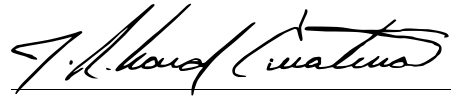
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16 On April 11, 2019, the parties filed a Joint Status Report. Dkt. 51. In that Report,  
17 plaintiffs stated “In the interest of economy, Plaintiffs . . . propose that the parties be permitted  
18 to file combined briefs addressing both the merits and class certification.” Dkt. 51, p. 2.  
19 Defendant responded, in part, “. . . Plaintiffs’ forthcoming class certification motion has the  
20 potential to raise factual or legal issues that should be resolved before this Court considers the  
21 merits.” *Id.*

22 The Court subsequently issued a scheduling order calling for combined briefing on the  
23 merits and motion for class certification. Dkt. 52.  
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1 The parties have completed briefing in this matter and the Court has heard oral argument  
2 on the substantive merits and motion for class certification on November 21, 2019. *See* Dkts. 53,  
3 63, 64, 65.

4 Although the parties have identified a number of legal issues to be resolved, the parties  
5 have not identified any outstanding factual issues that must be resolved before a report and  
6 recommendation can be filed on the merits and the motion for class certification. If either party  
7 is requesting the resolution of any factual issues before this Court issues its Report and  
8 Recommendation on those issues, that party must notify the Court and opposing parties by  
9 December 11, 2019, specifying what factual issues remain.

10 Dated this 2nd day of December, 2019.

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13 J. Richard Creatura  
14 United States Magistrate Judge  
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